

**LEGISLATIVE SERVICES AGENCY
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS**

200 W. Washington, Suite 301
Indianapolis, IN 46204
(317) 233-0696
<http://www.in.gov/legislative>

FISCAL IMPACT STATEMENT

LS 6025

BILL NUMBER: HB 1207

NOTE PREPARED: Dec 17, 2008

BILL AMENDED:

SUBJECT: Nutritional Information at Food Establishments.

FIRST AUTHOR: Rep. Brown C

FIRST SPONSOR:

BILL STATUS: As Introduced

FUNDS AFFECTED: X **GENERAL**
DEDICATED
FEDERAL

IMPACT: State & Local

Summary of Legislation: This bill requires a food establishment with ten or more locations in Indiana to make certain nutritional information available to customers for each item or unit of food.

The bill establishes civil penalties for violations.

Effective Date: July 1, 2009.

Explanation of State Expenditures: This bill requires that chain restaurants with ten or more locations in the state, make specified nutritional information available to customers in a manner that allows them to consider the nutritional information when selecting an item for consumption.

The bill specifies that the Indiana State Department of Health (ISDH), the Health and Hospital Corporation of Marion County, and local health departments are allowed to enforce the requirement.

The ISDH would need to promulgate rules to implement the bill.

Background Information: SB 1420-2008 was signed into law in California in October 2008. This bill requires restaurants with 20 or more locations in the state to post calorie information on their menus and on indoor menu boards by January 1, 2011. Beginning July 1, 2009, brochures containing either calorie information and/or other nutritional labeling for items such as saturated fat or sodium content will be required at the point of sale or at drive-through windows for consumers. The California law creates a new infraction for the violation of these provisions and requires local health departments to enforce the statute.

Explanation of State Revenues: The bill provides that violations are subject to a civil penalty not to exceed \$1,000 for each violation per day. Civil penalties collected are to be deposited in the state General Fund.

Explanation of Local Expenditures: It is not known if local health departments have sufficient manpower to add additional enforcement activities to their duties. The ISDH will be communicating this proposal with local health departments during a routine conference call and asking for their input on this issue. [This section will be updated as additional information becomes available.]

Explanation of Local Revenues:

State Agencies Affected: ISDH.

Local Agencies Affected: Local health departments.

Information Sources: ISDH, California SB 1420-2008 at:
http://www.leginfo.ca.gov/pub/07-08/bill/sen/sb_1401-1450/sb_1420_bill_20080903_enrolled.pdf.

Fiscal Analyst: Kathy Norris, 317-234-1360.